

1 R. Joseph Trojan CA Bar No. 137,067  
2 trojan@trojanlawoffices.com  
3 TROJAN LAW OFFICES  
4 9250 Wilshire Blvd., Suite 325  
5 Beverly Hills, CA 90212  
6 Telephone: (310) 777-8399  
7 Facsimile: (310) 777-8348  
8 **Attorneys for Plaintiff,**  
9 **PHOENIX SOLUTIONS, INC.**

10 **UNITED STATES DISTRICT COURT**  
11 **CENTRAL DISTRICT OF CALIFORNIA**

Lodged Proposed  
Order  
2010 JUN - 1 PM 2:37  
CLERK U.S. DISTRICT COURT  
CENTRAL DISTRICT OF CALIF.  
LOS ANGELES  
BY NL

FILED

12 PHOENIX SOLUTIONS, INC., a  
13 Maryland corporation,

14 Plaintiff and Counter-  
15 Defendant,

16 v.

17 WEST INTERACTIVE CORP., a  
18 Delaware corporation,

19 Defendant and Counter-  
20 Plaintiff.

CASE NO. 09-08156-MRP (SSx)

21 **APPLICATION TO FILE UNDER**  
22 **SEAL DOCUMENTS IN SUPPORT OF**  
23 **PLAINTIFF'S MOTION FOR**  
24 **SUMMARY ADJUDICATION**

25 Hon. Mariana R. Pfaelzer

26 Hearing Date: July 2, 2010  
27 Hearing Time: 11:00 am  
28 Courtroom: 12

TROJAN LAW OFFICES  
BEVERLY HILLS

**TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

**PLEASE TAKE NOTICE** that pursuant to Local Rule 79-5.1, Plaintiff Phoenix Solutions, Inc. ("Phoenix" or "Plaintiff") hereby seeks an Order of this Court authorizing Plaintiff to file under seal Documents in Support of Plaintiff's Motion for Summary Adjudication.

The documents attached to the Declaration of R. Joseph Trojan as Exhibits 9-22 contain information marked "Attorneys' Eyes Only". Plaintiff's Memorandum of Points and Authorities in Support of its Motion for Summary Adjudication, the Declaration of Arthur Rosenberg in Support of Plaintiff's Motion for Summary Adjudication, and Plaintiff's Statement of Uncontroverted Facts and Conclusions of Law also contain confidential information from these exhibits. Accordingly, Plaintiff requests that the foregoing documents be filed under seal in order to maintain the confidentiality of the information contained therein.

Respectfully submitted,

TROJAN LAW OFFICES

by

DATED: May 27, 2010

  
\_\_\_\_\_  
R. Joseph Trojan  
Attorney for Plaintiff,  
PHOENIX SOLUTIONS, INC.

TROJAN LAW OFFICES  
BEVERLY HILLS

PROOF OF SERVICE

I am over the age of 18 years, employed in the County of Los Angeles, and not a party to the above entitled action. My business address is 9250 Wilshire Blvd., Suite 325, Beverly Hills, California 90212.

On June 1, 2010, I served:

**APPLICATION TO FILE UNDER SEAL DOCUMENTS IN SUPPORT OF PLAINTIFF'S MOTION FOR SUMMARY ADJUDICATION**

by transmitting to:

Daralyn J. Durie, Esq.  
Ryan M. Kent, Esq.  
Johanna Calabria, Esq.  
DURIE TANGRI LLP  
217 Leidesdorff St.  
San Francisco, CA 94111  
rkent@durietangri.com  
ddurie@durietangri.com  
Fax: (415) 236-6300

[X] BY MAIL: I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on the same day with postage thereon fully prepaid at Beverly Hills, California, in the ordinary course of business. I am aware that on the motion of the party served, service is presumed invalid if the postal cancellation date or postage meter date is more than one day after the date of deposit for mailing shown on this proof of service.

[X] BY ELECTRONIC MAIL OR ELECTRONIC TRANSMISSION: Based on a court order or an agreement of the parties to accept service by e-mail or electronic transmission, I cased the document to be sent to the respective e-mail address of the party as stated above. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

[X] FEDERAL: I declare, under penalty of perjury under the laws of the United States that the foregoing is true and that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

Executed on June 1, 2010, at Beverly Hills, California.

  
Michiko Speier